

DELTA PROTECTION COMMISSION

January 29, 1993, 10 am
Walnut Grove, California
Meeting Minutes

CALL TO ORDER AND INTRODUCTION

Douglas P. Wheeler, Secretary for Resources, called the first meeting of the Delta Protection Commission to order. By way of opening remarks, he called attention to the variety and beauty of the resources in the Delta, and the importance of the Commission in planning for the future of the region.

Secretary Wheeler introduced to the Commission the following people: Carol Whiteside, Assistant Secretary for Intergovernmental Affairs at the Resources Agency and program liaison to the Delta Protection Commission; Ed Heidig, Director of the Department of Conservation, who is designated to fill any vacancy on the Commission and whose department is providing much of the staff support in helping the Commission become established; John Amodio, Executive Officer of the Bay Delta Oversight Council, an advisory body appointed by Governor Wilson to address certain water supply and water quality issues affecting the Bay and Delta; Ross Sargent, Chief of Staff for Senator Patrick Johnston; Rick Frank Supervising Deputy Attorney General; Christine Sproul, Assistant Secretary for Legal Affairs at the Resources Agency; and Julius Tsai of the Resources Agency.

Secretary Wheeler then asked Commissioner Tom Torlakson to serve as the interim chair of the Commission.

Mr. Torlakson agreed.

INTRODUCTION OF COMMISSIONERS

The Commissioners or their designees introduced themselves briefly:

Dick Troy, designee for the Department of Parks and Recreation, and supervisor of the Gold Rush District;

George Barber, San Joaquin County Supervisor;

Will Salmon, representing Reclamation District 1;

A.J. Yates, Deputy Director of and designee for the Department of Food and Agriculture;

Toby Johnson, Sacramento County Supervisor;

Robert Calone, director of Winter Islands Farms Reclamation District in Pittsburg;

Darrel Ferreira, representing Reclamation District 551;

Bob Potter, Chief Deputy of and designee for the Department of Water Resources;

resources of the Delta, Senator Johnston said. Mayor Barber, Supervisors Johnson, and Torlakson had previously worked on the Delta Advisory Planning Council, which had done valuable work. However, there was evidence of the need to move to a planning perspective that will anticipate the region's needs over time and to address these issues in State law.

Other agencies and processes, such as the recent study by the State Lands Commission and the Bay Delta Estuary Project have documented declining Delta resources, including open space, prime farmland, and condition of flood control levees.

Senator Johnston commented on personally witnessing increased growth pressures in the region, as population from the Bay Area has spilled into Solano, Yolo, Sacramento, and eastern Contra Costa and San Joaquin Counties. The statutory Delta has historically grown at a rate of about 4% a year in the 1200 square mile area, but in the last decade, that figure has doubled.

Judging from the planning areas of 10 incorporated cities in the Delta, future planned growth is expected to urbanize roughly 34% of the Delta. Thus there is a need to look at the core of the Delta, the "primary zone" and see how best to conserve the open space, farmland resources, and the wildlife values of the region as an integral link in the Pacific Flyway.

SB 1866 brought together representatives from agriculture, the environmental community, local government, and business. In addition, there are on the Commission representatives from five Delta counties, 3 representatives from 10 incorporated cities in the region, and 5 representatives from the reclamation districts. In addition, it is important to recognize the historic communities that have existed in the Delta -- Walnut Grove being a prime example -- and to take into consideration the interests of the Delta communities along the river. They, too, need to grow and thrive.

Senator Johnston also acknowledged the presence of the state agencies on the Commission, expressing appreciation for the high caliber of their work, their expertise and the cooperative spirit which they brought to the Commission.

Senator Johnson noted that the authority and the funding base for the Commission were limited. SB 1866 provided a loan of \$250,000 to the commission, and anticipated revenues from increased fines for fish and game and boating violations in the Delta. Senator Johnston acknowledged the need to provide a sufficient level of funding to complete a resources management plan for the Delta by July 1, 1994 and communicate these principles to local governments.

In summary, Senator Johnston indicated that new groundrules need to be established to assure the future of the Delta. The cities and counties may proceed with planning that would urbanize 34% of the Delta, but the remaining 800 square miles or so will be critical in serving the needs of agriculture, open space, wildlife habitat, and recreation. The Commission's charge has to do with the use of the land resources of the Delta. These land use issues must be treated on a regional basis in order to stop the relentless pressure to subdivide.

Senator Johnston concluded by saying that the Delta Protection Commission has "drawn a line in the peat," and charged the Commission to chart the future of the primary zone.

Ms. Sproul noted that the budget of \$250,000 would be split into two six-month portions.

The Commissioners had been provided with a briefing memo, including a one-page budget summary, the major components of which were the hiring of Commission staff and office space.

Action by the Department of Personnel Administration will be needed to establish positions for Commission staff. The Delta Protection Act requires office space for the Commission to be located in the statutory Delta. Interim staff located space in the State Building in Stockton, which could be leased to the Commission for \$1.39/sq. ft., totaling about \$8,000 a year.

Mr. Torlakson asked what the time frame of staff hiring and office space was.

Ms. Sproul said that as soon as the staff was hired, then the space would be needed.

Mr. Barber asked if there was an auditorium in the state facility.

Ms. Sproul said that there was one, and that it could be used at no charge.

Background information was provided on the Commissioners. Commissioners were asked to advise Ms. Sproul of corrections or additions.

Ms. Sproul also acknowledged the Attorney General's Office generally for assistance in Commission start-up, and Rick Frank specifically for the expertise he brings to the issues before the Commission.

Mr. Torlakson suggested that the consideration of office space be placed on the agenda for the next meeting.

Mr. Sargent briefed the Commission on definitions and deadlines in statute. Illustrative maps and charts listed the statutory milestones of the Commission, and defined the primary and secondary zones.

Mr. Frank described options and considerations in determining procedures for the selection of the executive director. Two options were presented: 1) an informal, two-member committee that could perform much of the initial work and then report back to the full Commission or 2) selection of the director by a larger body subject to requirement of open meetings for all meetings of the committee.

A motion was made by Mr. Keller and seconded by Mr. Johnson and Mr. Barber that until such time as the executive director was appointed, Ross Sargent should serve as the interim executive director.

Mr. Sargent indicated that he was willing to assist the Commission in such a capacity.

Commission.

Mr. Torlakson noted that discussion of selection procedures would be an agenda item for the next meeting.

Mr. Banuelos said that the search should be localized within the five Delta counties.

Mr. McCarty said that resources were limited and the search process should take this into account.

Mr. Sargent noted receipt of five expressions of interest in the position.

Mr. Gibbons recommended selection of someone with good communication skills, awareness of agencies and interests in the Delta, and a knowledge of Delta resources.

Ms. Fargo said that advertising in key newspapers should be sufficient to establish a suitable pool of candidates. She cautioned the Commission to take the time to create an appropriate announcement and salary range. She asked why a committee of two was recommended. She stressed the need for good communication between the committee and the Commission, as well as an opportunity for feedback from the Commissioners.

Mr. Ferreira repeated the question concerning the proposed two-member selection committee.

Mr. Sargent replied that under state law, a committee of more than two would trigger the open meeting laws and all meetings would have to be held in public, with the accompanying public notices.

Ms. Fargo asked if commissioners could submit their suggested selection criteria to the committee.

Mr. Frank said that was acceptable as long as it was understood that those materials would be public.

Mr. Torlakson recognized Al Medvitz from the audience, who identified himself as being from Rio Vista, who asked if input from outside sources would be permitted in the Commission's selection process.

Mr. Frank said that committees can solicit informal information.

Mr. Pat Sanguinetti commented that when the job announcement should not include a salary range, since applicants should be reviewed based on their interest in serving the Commission.

Mr. Torlakson said that he would work with the committee of two to perform as much of the preliminary work to bring forward the candidates to the Commission without making any major decisions.

Mr. Johnson asked if Torlakson would agree to serve as one of the two on the committee.

Mr. Torlakson agreed.

Mr. Torlakson said that the committee would bring forward a packet of candidates for the Commissioners' review. There would be no screening beforehand.

Mr. David Irey from the audience was recognized. He identified himself as the Deputy District Attorney for San Joaquin County. He urged the Commission not to make the selection committee too small.

Mr. Potter's motion concerning the committee of two was carried unanimously.

Mr. Calone asked whether it was necessary to proceed on the issue of office space for the Commission.

Mr. Sargent replied that he could work out of his own offices, for the time being, and would look further in the event that there were more alternatives for office space.

Mr. Torlakson stated that at the next meeting the staff would bring forth options concerning office space.

Mr. Sargent indicated that the Commissioners would be welcome to examine the proposed Stockton space.

Mr. Torlakson adjourned the meeting for a break.

REVIEW OF DELTA RESOURCES

Sargent introduced Dr. Bob Twiss of the College of Environmental Design at the University of California at Berkeley. His research concentrates on regional planning for critical natural habitats in complex urban settings, and the use of Geographic Information Systems. He has focused on land use change in the San Francisco Bay-Delta. Dr. Twiss has chaired the University's Department of Landscape Architecture, and served as chair college faculty. He has served on the State Mines and Geology Board, the Tahoe Regional Planning Agency, as an appointee of the Legislature's Joint Rules Committee, as well as in the U.S. Forest Service, U.S. Department of Agriculture, and the U.S. Air Force. Dr. Twiss received his M.S. and Ph.D. from the School of

Mr. Bennie Gatto of Lathrop City Council remarked that Dr. Twiss' presentation indicated that Lathrop would be developing to accommodate 80,000 residents in the next few years.

Mr. Al Medwitz of Rio Vista identified himself as a rancher in the Montezuma Hills and an environmental manager for the estimated 6,000 acres that comprise that range. He said that it was very important to make a clear distinction between rapid population growth and economic growth, between profit and productivity, and that it would be essential to balance the environmental and economic priorities of the region.

Mr. Stanford Brown of Walnut Grove asked why there were so few women and minorities on the Commission. He commented that the Delta was rich culturally and ethnically, and that the commission should reflect that diversity, as well as a gender balance.

He recommended that the Commission's office should not be remotely located in Stockton, but in the Delta itself.

Mr. Bern Kreissman of the Mother Lode Sierra Club indicated support for the Commission and the San Francisco Bay-Estuary Project.

In regards to future meetings, Mr. Calone commented that for most working people, daytime meetings are not convenient, and therefore suggested evening meetings for the Commission in order to permit greater participation.

Mr. Banuelos suggested that the Commission alternate between daytime and nighttime meetings.

Mr. Torlakson suggested February 24 at 6 pm as the next meeting time. He noted various possibilities for the meeting location, which would be determined later.

Mr. Sargent reviewed the potential agenda items for the next meeting, including the election of chair and vice-chairman; report of the selection committee; the Commission's budget; and consideration of an office site.

The meeting was adjourned at 12:20 pm.